

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

ROLANDO A ALBARRACIN

Case No. 11-02119-ESL

ZULMA GOMEZ RIVERA

Chapter 13

Attorney Name: JOSE PRIETO CARBALLO ESQ*

I. Appearances

Debtor ☒ Present ☐ Absent
Joint Debtor ☒ Present ☐ Absent
Attorney for Debtor ☒ Present ☐ Absent
☐ Pro-se
☐ Substitute _____

Date: April 13, 2011

Time: 8:41 AM Track: _____
☒ This is debtor(s) _____ Bankruptcy filing.

Liquidation Value: _____

Creditors

None

II. Oath Administered

☐ Yes ☒ No

III. Documents Filed/Provided

☒ Schedules
☒ Statement of Financial Affairs (SOFA)
☒ Statement of Current Monthly Income (SCMI)
☒ Credit counseling briefing certificate (CCC)
☐ Waiver requested by debtor(s)
☐ DSO Certificate
☐ DSO Recipient's information
☐ State Tax Returns _____ ☐ Returned
☐ Federal Tax Returns _____ ☐ Returned
☐ Evidence of income (60 days prior to petition)

IV. Status of Meeting ☐ Closed ☐ Not Held ☒ Continued May 26, 2011 at 8:00 AM

V. Trustee's Report on Confirmation

☐ FAVORABLE
☐ UNFAVORABLE

☐ Feasibility
☐ Insufficiently funded
☐ Unfair discrimination
☐ Fails liquidation value test
☐ Fails disposable income test (I & J)
☐ No provision for secured creditor(s)
☐ No DSO certificate (Post-petition)
☒ Evidence of income ① 12/24/2010 pay stubs for Mr. Albarracin
② another employer's cert for Ms. Gomez detailing gross for ex. month with deductions for period 9/1 - 3/13/2011
☐ Missing ☐ Incomplete
☐ Stmt. of Current Monthly Income
☐ Incomplete ☐ Missing
☐ Fails commitment period ☐ Fails Disp. Income
☐ Certificate of Credit briefing
☐ Missing ☐ More than 180 days
☐ Issuer not certified by U.S.T.
☐ Incomplete schedules
☐ Incomplete S.O.F.A.
☐ Other: _____
☐ Treat value of collateral separately
☐ No provision for insurance
☐ Tax returns missing
☐ State - years _____
☐ Federal - years _____

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VI. Plan

(Cont.)

Date: March, 7, 2011 Base \$ 72,000.00 [X] Filed Evidence of Pmt shown: _____
Payments 1 made out of 1 due. [] Not Filed

VII. Confirmation Hearing Date: May, 4, 2011

VIII. Attorney's fees as per R. 2016(b)
\$3,000.00 - \$ 366.00 = \$ 2,634.00

IX. Documents to be provided w/in _____ days

- [X] Amended schedules C → delete homestead exemption since zero equity [X] Amended S.O.F.A. # 4 to delete attachments. Funds were not attached.
[] Insurance estimate [] Amended plan
[] Assumption/Rejection executory contract [] Business Documents
[] Monthly reports for the months _____

[X] Appraisal Comparable for both

debtors inheritance interest. (Bo. Palo Seco, Mauricio - he)

- [] State tax returns years _____ (U.S. b. home Ver. Bay → she) [] Public Liability Insurance
[] Federal tax returns years _____ [] Premises _____
[] Correct SS # (Form B21) [] Vehicle(s) _____
[] Debtor [] Joint debtor [] Licenses issued by: _____
[] Other: _____

- [] M.T.D. to be filed by Trustee: Debtor(s): [] failed to appear; [] failed to commence payments;
[] failed to keep payments current; [] does (do) not qualify as a debtor (§109); _____
[] Other: _____

COMMENTS

- ① Amend Schedule "G" to include First Lease
② Provide maturity date of FB's lease to see whether step-up payments in plan are necessary
③ Amend Schedule "S" to include 2nd mortgage on the property
④ Amend Schedule "B" to include both debtors' inheritance interest and provide usufruct calculator for both.
⑤ Verify CMI at SCMI because according to evidence submitted, Date: April 13, 2011
CMI is around \$ 8,600; could be more. (Rev.
⑥ Debtors to assume lease w/ FB

M. M. G.
Trustee/Presiding Officer